

DISPOSITION: August 10, 1944. A plea of guilty having been entered, the defendant was fined \$300 and sentenced to 6 months' imprisonment. The jail sentence was suspended, and the defendant was placed on probation for that period of time.

123. Misbranding of Miracle Aid for Wrinkles. U. S. v. 22 Packages, 119 Bottles, and 29 Bottles of Miracle Aid for Wrinkles. Default decrees of condemnation and destruction. (F. D. C. Nos. 12507, 12775, 14374. Sample Nos. 41209-F, 68166-F, 73306-F.)

LIBELS FILED: Between June 9 and November 3, 1944, Northern District of Ohio, Northern District of California, and Northern District of Texas.

ALLEGED SHIPMENT: Between March 2 and August 8, 1944, by the Miracle Products Co., from Chicago, Ill.

PRODUCT: 22 packages at Cleveland, Ohio, 119 bottles at San Francisco, Calif., and 29 bottles at Dallas, Tex., of Miracle Aid for Wrinkles.

Examination disclosed that the product consisted essentially of water, small amounts of albumin, sodium sulfite, and perfume, with the exception of a portion which consisted essentially of water with small amounts of protein, sodium chloride, sodium benzoate, and perfume.

NATURE OF CHARGE: Misbranding, Section 602 (a), certain statements on the bottle and package labels and in accompanying circulars entitled "For the Preservation and Enhancement of Beauty" and display cards entitled "Wrinkles and Double Chin Vanish" were false and misleading since they represented and suggested that the article would be efficacious to remove wrinkles and double chin; and that it would supply skin tissue protein. The article would not be efficacious for such purposes.

DISPOSITION: Between August 12, 1944, and March 26, 1945. No claimants having appeared, judgments of condemnation were entered and the product was ordered destroyed.

124. Misbranding of Presto for Blackheads. U. S. v. 11 Packages and 108 Dozen Packages of Presto for Blackheads. Default decrees of condemnation and destruction. (F. D. C. Nos. 8100, 9847. Sample Nos. 12815-F, 21698-F.)

LIBELS FILED: August 14, 1942, and April 22, 1943, Western District of Pennsylvania and District of Oregon.

ALLEGED SHIPMENT: On or about July 21, 1942, and March 25, 1943, by the McJohn Cosmetic Co., from Hollywood, Calif.

PRODUCT: 108 dozen packages of Presto for Blackheads at McKeesport, Pa., and 11 packages of Presto for Blackheads at Portland, Ore.

Examination showed that the product consisted of a stick composed essentially of a mixture of ground pumice and titanium dioxide, incorporated in a hydrated waxy base.

NATURE OF CHARGE: Misbranding, Section 602 (a), the following labeling statements were false and misleading as applied to the product, which was not effective in removing blackheads and in keeping the pores of the skin clean: "Presto for Blackheads Quick Aid For Blackheads * * * A clean skin is the foundation for a beautiful complexion; don't allow your complexion to be marred by unsightly Blackheads. Never squeeze or pinch Blackheads; squeezing injures the skin and encourages large pores and blackheads. Use Presto Stick And Eliminate Squeezing. * * * In cases of stubborn Blackheads use Presto Stick once daily for several days. Thereafter use from time to time, as required, to keep pores clean."

The article was also alleged to be misbranded as reported in notices of judgment on drugs and devices.

DISPOSITION: October 8, 1942, and June 8, 1943. No claimant having appeared, judgments of condemnation were entered and the product was ordered destroyed.

125. Misbranding of Olivo For Hair and Scalp. U. S. v. 35½ Dozen Bottles and 11½ Dozen Bottles of Olivo For Hair and Scalp. Default decree of condemnation and destruction. (F. D. C. No. 15075. Sample Nos. 79624-F, 79625-F.)

LIBEL FILED: January 23, 1945, Eastern District of Virginia.

ALLEGED SHIPMENT: Between the approximate dates of August 3 and October 20, 1944, by the Olivo Co., from Philadelphia, Pa.